

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
BERNSTEIN, et al.,

Plaintiffs,

-v-

CENGAGE LEARNING, INC.,

Defendant.

CIVIL ACTION NO.: 19 Civ. 7541 (ALC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the telephonic conference held on March 6, 2023 (the “Conference”), and in further resolution of Plaintiffs’ putative motion to strike declarations Defendant Cengage Learning, Inc. (“Cengage”) submitted from eleven (11) witnesses (the “Declarants”) in opposition to Plaintiffs’ motion for class certification (see ECF Nos. 193 (the “Motion”); 213), the Court orders as follows:

1. By **Monday, March 13, 2023**, the parties shall file their proposed stipulation outlining resolution of the Motion, including (i) Plaintiffs’ right to conduct depositions of the Declarants; (ii) Cengage’s agreement to pay the court reporting costs for the depositions of Declarants Simones, Cole, and either one author Declarant or a third product manager Declarant; (iii) the proposed schedule for the parties’ supplemental briefs regarding class certification, which shall not exceed three pages single-spaced; and (iv) their preference for scheduling Oral Argument on either **Tuesday, May 9, 2023 at 2:30 p.m. or Thursday, May 11, 2023 at 10:00 a.m.**

2. The parties shall order a transcript of the Conference and file it on the docket. The parties shall complete the annexed transcript request form and submit one request to: etranscripts@nysd.uscourts.gov, by **Wednesday, March 8, 2023**.

Dated: New York, New York
March 7, 2023

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge